

Mr. BULKLEY. Certainly.

Mr. ROBINSON of Arkansas. In view of the statement often repeated by the Senator from Oregon that there is some reason which prompts him to desire a conference with the Senator from Virginia before the motion is voted on, may I suggest to the Senator from Ohio that he let the motion be pending and that we now take a recess.

Mr. McNARY. That will be very satisfactory to me.

Mr. BULKLEY. I am quite satisfied with that.

RECESS

Mr. ROBINSON of Arkansas. I move that the Senate stand in recess until the conclusion of the session of the Senate sitting as a Court of Impeachment on tomorrow.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arkansas.

The motion was agreed to; and (at 5 o'clock and 12 minutes p.m.) the Senate took a recess until the conclusion of the proceedings of the Senate sitting as a Court of Impeachment on tomorrow, Wednesday, May 17, 1933, the hour of meeting of the Senate sitting as a Court of Impeachment being 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 16 (legislative day of May 15), 1933

UNDER SECRETARY OF THE TREASURY

Dean G. Acheson to be Under Secretary of the Treasury.

UNITED STATES CIRCUIT JUDGE

Francis A. Garrecht to be United States circuit judge, ninth circuit.

PROMOTIONS IN THE NAVY

To be rear admiral

Joseph R. Defrees.

To be captains

Damon E. Cummings. Bryson Bruce.

To be commander

Carroll M. Hall.

To be lieutenant commander

Herbert M. Scull.

To be lieutenants

Walter S. Ginn.	Paul Graf.
Emory W. Stephens.	Warren D. Wilkin.
John M. Kennaday.	Everett W. Abdill.
Philip M. Boltz.	Paul L. F. Weaver.
Sumner K. MacLean.	Willis E. Cleaves.

To be chief pharmacists

Will Grimes. Paul T. Rees.

To be chief pay clerks

Lawrence W. Sadd. Arthur D. Gutheil.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 16, 1933

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D.D., offered the following prayer:

Blessing and honor, glory and power, be unto Him who sitteth upon the throne, and to the Lamb forever and ever. In all things, blessed Lord, inspire us to be faithful and diligent, patient and hopeful, and to know that it is no vain adventure to be directed and held by these virtues. Give glad assurance to us, and cease not to guide us in all our ways. By Thy grace bind together the tissues of our habits. Bless us today with the hand that helps and with the heart that cheers. May we remember those who have been watching and longing for the day dawn through these unrewarding years. We appeal to Thee, Lord; give help, and set their very souls climbing eagerly toward that life that is vastly big and fine, and in which there are no more fears and distrust. Bring to our whole land peace and service, and hail the hour of rejoicing. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate insists upon its amendments to the bill (H.R. 5040) entitled "An act to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes", disagreed to by the House, agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HARRISON, Mr. KING, Mr. GEORGE, Mr. REED, and Mr. COUZENS to be the conferees on the part of the Senate.

LEAVE OF ABSENCE

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURKE] be excused today and tomorrow on account of the death of his father.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. GRIFFIN]?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, Lawrence Sullivan, in the Washington Post today, intimates that there is a growing sentiment in the House in favor of the sales tax. I doubt very much whether that expression of opinion is based on very reliable authority. So far as I am concerned, I have not changed my attitude on the sales tax, and I know of no one else who has.

A sales tax is fundamentally a consumption tax, and a consumption tax falls on the ultimate consumer, not only on those who have regular incomes but upon the 12,000,000 or more who are without any means whatever.

It is said that exemptions can be made, but the moment you make exemptions to a sales tax it ceases to be a sales tax, and you are immediately in a maze of contradictions.

Mr. RANKIN. Will the gentleman yield?

Mr. GRIFFIN. I yield.

Mr. RANKIN. Those who have been advocating the sales tax for years have been doing so for the purpose of trying to take the income and inheritance tax off of large incomes and large fortunes. All they want is to get their noses under the tent. If they can ever establish the policy in this country, their hope is to impose all taxes through a sales tax, and therefore on the people least able to pay.

Mr. GRIFFIN. That is very true. The sentiment for a sales tax comes largely from those who have to pay heavy income and inheritance taxes. While that is true, our experience should teach us that there is an element of justice in their dissatisfaction with the conditions that exist. Heavy taxation leads to evasion and shifting. The idea of having a part of the country pay all the taxes is in my opinion a fallacy. The fundamentals of sound taxation require a tax which is spread over a broad area, and one which falls equitably upon all of the tax-paying public. It is unjust to impose heavy burdens upon a part and allow others to go scotfree, and yet that is what has been done blindly for years.

Mr. FREAR. Will the gentleman yield?

Mr. GRIFFIN. Let me finish my statement first and then I will yield.

Mr. FREAR. I wanted to find out who was going scot-free.

Mr. GRIFFIN. We are letting them go scotfree of taxation because we have blindly tried to overdo taxation. The old tax rates were fairly reasonable. That is, the reduced tax rates that were put into effect in January 1929. The income derived was encouraging; but in 1932 we raised the income taxes to such an extent that evasions continued as they never did before.

There were 498,000 corporations which filed income-tax returns in 1930. Of that number, 231,287 showed no net

income whatever. In other words, they evaded their burden of responsibility for the support of their Government, and yet those corporations which ducked their taxes showed gross incomes of \$41,000,000,000 and over.

That is not only true of corporations but it is also true of individuals. In the same year the number of returns for individuals was 3,376,552. The number of returns that showed no net income was 1,429,877. How were they able to escape? Easy enough. First, in the case of corporations, by padding their pay rolls, giving bonuses to their officers, representing that they had taken losses on their investments, selling stock of their holdings to dummies and then purchasing it back after the transaction with the Government on the income tax was completed. One of them is on trial today for doing that very thing which he brazenly admitted before a Senate committee.

Mr. RICH. Will the gentleman yield?

Mr. GRIFFIN. I will yield first to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. I understood the gentleman from New York [Mr. GRIFFIN] to say that there are men who go scotfree on the question of taxation. I wanted to know what class of people go scotfree. In other words, does not every individual pay directly or indirectly some taxes, Federal taxes or local?

Mr. GRIFFIN. Theoretically that is true.

Mr. FREAR. Of course, those who are best able to pay have been paying income taxes.

Mr. GRIFFIN. But many of those best able to pay are the very ones who go scotfree. Their number is so great that it is absolutely menacing the carrying on of our Government. In a democracy every individual ought to bear his burden of taxation.

Mr. FREAR. They all ought to and they do to a certain extent.

Mr. GRIFFIN. What I am fighting for is to have every citizen bear this burden honestly and directly and not have it shifted over upon his shoulders by someone else who may have the cunning to evade it.

Mr. KELLER. May I suggest that the gentleman continue with the thought he has in mind, that he continue to develop his argument?

Mr. BRITTEN. Mr. Speaker, will the gentleman yield for a question?

Mr. GRIFFIN. I am going to follow the suggestion of the gentleman from Illinois and develop any argument.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. GRIFFIN. I yield.

Mr. RICH. If the gentleman knows these corporations are doing things that are illegal, why does he not see that some action is brought against them? I believe statements made on the floor of the House by Members that they know such things are going on are more detrimental than helpful.

Mr. BRITTEN. Mr. Speaker, will the gentleman yield for a short question right at this point?

Mr. GRIFFIN. I wish to say to the gentleman from Pennsylvania first that I am merely submitting the facts gathered from the reports, namely, that out of 498,000 corporations 231,287 failed to show any net income whatever although their gross income was \$41,000,000,000.

I merely ask you to allow the facts to speak for themselves.

Mr. BRITTEN. Will the gentleman yield for a question right at this point?

Mr. GRIFFIN. Yes.

Mr. BRITTEN. I agree with the gentleman in his contention that many officials of big corporations do deceive the Government in their income taxes. There is no question about that. But is not this, after all, the very best argument for a manufacturers' sales tax?

Mr. GRIFFIN. No. The sales tax is too limited as to the groups selected as the targets for attack and in all the bills so far proposed too circumscribed by exemptions. My proposal aims to equitably compel all groups earning incomes to make a reasonable contribution toward paying the ex-

penses of government. I make no exceptions, no qualifications, and would close the door on all evasions.

Here are the facts: Under the present law over 50 percent of those who are required to file income-tax returns fail to pay a single dollar of tax to the Government. This speaks for itself. This shows that the high income-tax rates invite evasion and a shifting of taxes, invite fraud and misrepresentation.

If we adopted a gentler system of imposing taxes, spreading the burden on all, the invitation and the inducement to misrepresentation would disappear because no single group would be called upon to pay such a high proportion of the revenue. When once we adopt the plan of spreading the field of taxation the rate will go down for all.

Let me show you how this can be done. Today I introduced in the House a bill proposing, first of all, to restore the income-tax rates as they were prior to the Revenue Act of 1932; secondly, it imposes a tax of 1 cent per dollar on gross incomes.

The proposal to return to the income-tax rates in effect prior to 1932 was prompted by the report of the Treasury Department for May 11. It shows that the increased rates of the Revenue Act of 1932 have utterly failed. In the fiscal year 1932, up to May 11, the income-tax revenue of the Nation was \$879,000,000. Up to May 11 of the present year, under the increased income-tax rates, the revenue was \$588,000,000; in other words, \$290,000,000 short of what we ought to raise. It is quite evident we can never balance the Budget under the present income-tax system.

I recognize that we cannot change the present income-tax law with one stroke. What I want to do is to abate its nuisance provisions by degrees. The first thing to be done, in my opinion, is to restore income-tax rates as they were prior to the enactment of the Revenue Act of 1932; that is, the rates as reduced to a reasonable basis by the act of December 16, 1929.

Secondly, to offset this reduction I want to have a tax imposed upon everyone who earns a settled, regular income, without exception, without exemption, without regard to brackets. This is easy enough to put into operation, because the general provisions of the income-tax law will not be disturbed by my proposal. The income-tax return is made up showing a gross income of, say, \$100,000. You add at the foot of the income-tax return 1 cent per dollar, or \$1,000. That is the tax.

Let us consider the great body of Federal and other salaried employees who have steady, regular incomes of from \$3,000 to \$5,000 or \$6,000. Do they pay an income tax under the complicated provisions of the present income-tax law? Not a cent. They are allowed exemptions for their wives, for their children, for their investment losses.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield at this point?

Mr. GRIFFIN. Yes.

Mr. O'CONNOR. In order to reach State and municipal employees a constitutional amendment would be needed. They are exempt by reason of the taxing obligations of the State and the municipalities and subdivisions of the State.

Mr. GRIFFIN. That is true; but all of the employees of the Federal Government and private salaried employees draw settled incomes for which they ought to be grateful, and they ought to be content to pay a modest sum in the way of taxation. The States can follow suit if they like—as, for instance, Mississippi has done. There is a State which has adopted the gross-income tax idea and in a short time wiped out its deficit. Indiana, I understand, is about to adopt a similar law. So this proposal is no wild innovation.

[Here the gavel fell.]

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore (Mr. McKEOWN). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. GRIFFIN. I yield.

Mr. RICH. If 1-percent income tax were charged on gross incomes, does not the gentleman believe the manufacturers would take that as an item of expense and pass it on to the consumers? Would it not be the same as a sales tax?

Mr. GRIFFIN. They could not do that. I went into this very question very fully in my speech of a year ago when I introduced my original resolution (H.J.Res. 381), on May 7, 1932. I will send the gentleman a copy of it, but I think the following extract answers the gentleman's question:

HOW THE GROSS-INCOME TAX WORKS

Corporations: A corporation selling \$1,000,000 worth of goods would pay a \$10,000 tax. If the article they manufactured and sold was, for instance, frying pans, and they manufactured and sold 4,000,000 of them at 25 cents each, the tax on each frying pan would figure out about one fourth of 1 cent—too small to be shifted, pyramided, or otherwise burdensome to the consumer.

Mr. BROWN of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. BROWN of Kentucky. The gentleman proposes to change the income-tax brackets to the brackets prior to 1932?

Mr. GRIFFIN. That is the idea; yes.

Mr. BROWN of Kentucky. And as an argument for that the gentleman states that evasions of income taxes are due to the high and exorbitant rates?

Mr. GRIFFIN. Yes.

Mr. BROWN of Kentucky. Is it not true that all of the evasions of income taxes took place before the 1932 act?

Mr. GRIFFIN. No.

Mr. BROWN of Kentucky. Did not the Mitchell evasion and the Mellon evasion, as set out by the gentleman from Pennsylvania [Mr. McFADDEN], take place before the 1932 act?

Mr. GRIFFIN. There has never been a time since the enactment of the first income tax law that evasions have not taken place. The reason is plain. No tax is effectual which is punitive in its rates to the extent of inviting fraud. Evasions have occurred and always will occur so long as we adhere to the false principle of discriminating against groups instead of spreading a fair tax, like the gentle rain, over all.

Mr. FREAR. If the gentleman will permit just one question in reference to his bill, is this supposed to be a substitute for the regular income tax or in addition to the regular income tax?

Mr. GRIFFIN. Aside from the cent-a-dollar tax on gross incomes, it merely reinstates the income-tax rates for individuals and corporations; and that is done to lighten the burden and make the cent-a-dollar tax more easy to bear.

Mr. FREAR. Instead of the present law?

Mr. GRIFFIN. Instead of the present law; yes.

Mr. FREAR. Then a man who has an income of \$1,000,000 annually would only pay \$10,000 of taxes?

Mr. GRIFFIN. No; the cent-a-dollar tax on gross incomes does not take the place of the existing income tax law. Under the proposal that I make, the existing brackets of the income tax are not disturbed. The individual or corporation makes his return in the usual way, but uses the rates of the act of 1929. Then at the foot of his return he adds a 1-cent-per-dollar tax.

Under the provisions of the old act, with its exemptions and its brackets, he still has the liberty, it is true, and still has the opportunity, I admit, to resort to evasions. We cannot help this unless we finally come to the conclusion that the best way to tax is to make one broad, general tax at the source and let it filter its way down to the ultimate consumer as best it can.

But with this humble, modest suggestion of 1-cent-a-dollar tax on gross incomes, no one can be hurt.

When I introduced this proposal last year I discussed it with some Federal employees and they began to protest about a cent-a-dollar tax on their income. One fellow, getting \$4,000 a year, said, "Well, I would have to pay \$40 a year on that"; and I said, "Sure, you will, but if you do not get this tax you will stand a reduction of \$400 in your salary"; and this is precisely what happened. He said, "I

do not pay any tax; I have these exemptions for my wife and family."

Why should not every man who earns a regular income contribute his share to the support and maintenance of his Government?

I submit this question to you for your consideration.

Mr. MARTIN of Colorado. May I ask the gentleman a question?

Mr. GRIFFIN. Yes.

Mr. MARTIN of Colorado. As the gentleman has stated, the subject of a sales tax is one in which every Member of this body is vitally interested, particularly at this moment. The gentleman started out by stating he was opposed to the sales tax because it was passed on to the consumer. I wish the gentleman would kindly explain to the House the modus operandi by which the sales tax is passed on to the consumer.

Mr. GRIFFIN. It is imposed directly on the consumer like the tax on ice cream and soda water.

Mr. MARTIN of Colorado. Is that the manufacturer's sales tax?

Mr. GRIFFIN. That is another exemption or another way of getting around it, but, inevitably, any sales tax which is proposed will be shifted and will be pyramided and fall upon the ultimate consumer. Another objection to the manufacturer's sales tax is its limited application and its inevitable exemptions in favor of certain groups.

Mr. MARTIN of Colorado. I will say to the gentleman that that is my understanding and that is my objection to it—it is not only added, but pyramided, and a profit made on the taxes.

Mr. GRIFFIN. That is one reason why the gentleman ought to support my bill providing a tax of 1 cent a dollar on gross income.

Mr. MARTIN of Colorado. As the gentleman has given this particular subject a great deal of study I thought the gentleman could explain the matter so the membership of the House would understand it thoroughly.

Mr. GRIFFIN. The whole subject of the manufacturers' sales tax has been thoroughly canvassed and I dare not venture to believe it is not understood. What I am solicitous about is to make sure that my colleagues will understand my proposal of a cent-a-dollar tax on gross incomes. Permit me to give this summary of its principles and purposes:

First. Imposes the tax at the source, so gently and equitably that it cannot be shifted, evaded, or pyramided.

Second. Taxes those who have the ability to pay.

Third. Reaches all who have regular incomes and who evade taxation through the complicated exemptions of the present law.

Fourth. Spreads a light tax equitably, making citizens tax-conscious.

Fifth. Wipes out the custom of filing fictitious income-tax returns showing "no net incomes."

I hope it will be kept in mind that this proposal is offered as a means of raising money and closing up the deficit. It is a veritable gold mine. Upon the basis of the income-tax returns of 1930, to which I have before alluded, if the cent-a-dollar tax on gross incomes were in effect, it would have put into the Treasury \$1,499,572,174 additional. I have not succeeded as yet in breaking down or analyzing the income-tax returns of 1932, but I venture the estimate that instead of the books showing \$1,056,756,697 (a drop of nearly \$70,000,000 over 1931) it would have raised the total receipts to \$1,800,000,000—a gain of \$644,000,000.

AMENDMENT OF THE NATIONAL BANKING ACT

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to introduce an amended banking bill.

Mr. PATMAN. Mr. Speaker, reserving the right to object, I want to ask the gentleman a question about the bill: Is the bill similar to the Glass bill reported to the Senate yesterday?

Mr. STEAGALL. The bill, insofar as amendments to the banking laws are concerned, is practically the same as the

Glass bill. The deposit-insurance provision of the bill is substantially the same and entirely in accord with it in principle, but there are some differences in detail relating in part to the method of admitting State banks to participation in the benefits of the guaranty fund, and a slight change as to the time in which the bill is to become effective.

Mr. PATMAN. I presume the chairman contemplates reporting the bill out from the committee tomorrow?

Mr. STEAGALL. The committee has ordered the bill reported and I am asking permission to introduce the bill as amended so as to avoid the necessity of considering committee amendments in the House.

Mr. PATMAN. The reason I ask the question is this: I asked permission to be heard before the committee on this bill. There are two features of it to which I am very much opposed. One is to further farm out the privilege of issuing money to a few powerful bankers in the Nation and giving them all the profits they make out of using the Government credit free of charge. Particularly, I call the gentleman's attention to section 3 of his bill or section 4 of the Glass bill, which amends section 7 of the Federal Reserve Act, which bill formerly required all excess profits to go into the United States Treasury as a franchise tax, which was later amended providing that excess profits may be retained until the surplus amounted to 40 percent of the capital stock of the Federal Reserve banks, and then in 1919, in March, it was further amended so as to permit excess earnings to go into the surplus fund until such surplus fund amounts to 100 percent of the capital stock of the Federal Reserve banks. This bill, if I understand it correctly, will give all the excess earnings to the Federal Reserve banks instead of the excess earnings going into the United States Treasury. The Government does not own one penny of stock in the Federal Reserve banks; it is all owned by private bankers.

This is one of the features of the bill I am very much opposed to, and I sought an opportunity to be heard before the committee, and I am awfully sorry I was not allowed that opportunity.

Mr. STEAGALL. I will say to my friend that the committee would have appreciated the benefit of his views. I am sure the gentleman realizes the desire that exists everywhere to finish the work of this session of Congress. The legislation has been thoroughly considered in the Senate, both in committee and by the entire body. The provision to which the gentleman refers was passed by the Senate in the last Congress. The House committee had the benefit of the Senate hearings. In view of the peculiar conditions that exist and the emergency nature of the measure, and the desire to end the session at an early date, it was decided by the committee that we should proceed to the consideration of the bill in executive session and report it immediately. We called an expert from the Treasury Department to discuss some of the technical provisions of the bill, but the committee decided that it would not hold open hearings at this late day in the session.

Mr. PATMAN. May I ask the gentleman one more question? Will the chairman of the committee request a special rule on the bill or will it come up under the general rules of the House subject to amendment with plenty of time allowed for discussion? As I was not afforded permission to appear before the committee, I should like to discuss the bill at some length on the floor.

Mr. STEAGALL. I hope the gentleman will be permitted to discuss the bill at length on the floor.

Mr. PATMAN. Will it be subject to amendment?

Mr. STEAGALL. The gentleman is asking me to say more than I am permitted to say. Of course, I desire to have plenty of time for discussion.

Mr. PATMAN. I am not in favor of expediting a bill that gives a billion-dollar franchise to a few bankers, although it may contain some desirable provisions.

Mr. STEAGALL. I am sure the gentleman does not care to discuss the merits of the legislation now.

Mr. PATMAN. The guarantee feature, as I understand it, provides that the Government shall put up \$150,000,000 from

its surplus fund, the Federal Reserve banks will put up \$150,000,000, which in fact belongs to the Government of the United States, so that the Government puts up \$300,000,000 and then the bankers will put up \$150,000,000 more. However, the bankers putting up the last \$150,000,000 will be relieved of paying interest on demand deposits, which will save them \$259,000,000 annually. So the banks are not only not out anything but will actually make a profit of \$114,000,000 the first year with increased profits each year.

Mr. STEAGALL. The gentleman is slightly in error as to the initial subscription to stock of the Deposit Insurance Corporation. The Federal Reserve banks are to subscribe one half of their surplus, which amounts in round numbers to close to \$140,000,000. The surplus fund of the Reserve banks is something like \$280,000,000. The gentleman is also in error as to the payment of interest on demand deposits. That provision is not in the bill which is to be introduced in the House.

Mr. PATMAN. I understand the provisions will be insisted upon at the other end of the Capitol. I hope the gentleman will bring in a bill accompanied by a rule allowing amendments and liberal debate. This is not an administration measure, so we cannot be charged with disloyalty to the party if we humbly ask for permission to offer and discuss amendments to the bill.

(Cries of "Regular order!")

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. COCHRAN of Missouri. Reserving the right to object, I should like to ask the gentleman a question.

Mr. FULLER. Mr. Speaker, I demand the regular order.

Mr. COCHRAN of Missouri. Mr. Speaker, I object.

THE CONSENT CALENDAR

The SPEAKER. Pursuant to the unanimous-consent order of yesterday, it is in order now to consider bills on the Consent Calendar. The Clerk will call the first bill.

FEDERAL CONFORMITY ACT

The business on the Consent Calendar was the bill (H.R. 5091) to amend section 289 of the Criminal Code.

The SPEAKER. Is there objection?

Mr. JENKINS. Mr. Speaker, reserving the right to object, was not that bill passed yesterday under suspension of the rules?

Mr. McKEOWN. No.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 289 of the Criminal Code (U.S.C., title 18, sec. 468) be, and it is hereby, amended to read as follows:

"Sec. 289. Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U.S.C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof in force on January 1, 1933, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment; and every such State, Territorial, or district law shall, for the purposes of this section, continue in force, notwithstanding any subsequent repeal or amendment thereof by any such State, Territory, or District."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ARREST AND RETURN OF PROBATION VIOLATORS

The next business on the Consent Calendar was the bill (H.R. 5208) to amend the probation law.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of the second paragraph of the act of March 4, 1925, entitled "An act to provide for the establishment of a probation system in the United States courts, except in the District of Columbia" (U.S.C., title 18, sec. 725), be, and the same is hereby, amended to read as follows: "At any time within the probation period the probation officer may arrest the probationer wherever found, without a warrant, or the court which has granted the probation may issue a warrant for his arrest, which warrant may be executed by either the

probation officer or the United States marshal of either the district in which the probationer was put upon probation or of any district in which the probationer shall be found and, if the probationer shall be so arrested in a district other than that in which he has been put upon probation, any of said officers may return probationer to the district out of which such warrant shall have been issued."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS LAKE SABINE, PORT ARTHUR, TEX.

The next business on the Consent Calendar was the bill (H.R. 4870) to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex.

The SPEAKER. Is there objection?

Mr. SWANK. Mr. Speaker, I object.

Mr. MILLER. Mr. Speaker, I object.

BRIDGE ACROSS NORTHWEST RIVER, VA.

The next business on the Consent Calendar was the bill (H.R. 5152) granting the consent of Congress to the State Highway Commission of Virginia to replace and maintain a bridge across Northwest River in Norfolk County, Va., on State Highway Route No. 27.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Without objection, the Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the consent of Congress is hereby granted to the State Highway Commission of Virginia, and its successors, to replace and operate a free highway bridge and approaches thereto across the Northwest River, at a point suitable to the interests of navigation, at or near Norfolk County, Va., on State Highway Route No. 27, in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters', approved March 23, 1906."

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS STAUNTON AND DAN RIVERS, VA.

The next business on the Consent Calendar was the bill (H.R. 5173) granting the consent of Congress to the State Highway Commission of Virginia to maintain a bridge already constructed to replace a weak structure in the same location, across the Staunton and Dan Rivers, in Mecklenburg County, Va., on United States Route No. 15.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State Highway Commission of Virginia, and its successors, to maintain and operate, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, a bridge and approaches thereto already constructed to replace an inadequate structure already constructed across the Staunton and Dan Rivers, at their mouths—Clarksville, in Mecklenburg County, which bridge is hereby declared to be a lawful structure to the same extent and in the same manner as if it had been constructed in accordance with the provisions of said act of March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS SAVANNAH RIVER, GA.

The next business on the Consent Calendar was the bill (H.R. 5476) to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved May 26, 1928, heretofore revived and reenacted by act of Congress approved April 22, 1932, to be built by the South Caro-

lina and Georgia State Highway Departments across the Savannah River at or near Burtons Ferry, near Sylvania, Ga., are hereby extended 1 and 3 years, respectively, from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time; was read the third time and passed, and a motion to reconsider laid on the table.

IDENTITY OF THE DALLES BRIDGE CO.

The next business on the Consent Calendar was the bill (S. 1278) to amend an act (Public, No. 431, 72d Cong.) to identify The Dalles Bridge Co.

The SPEAKER. Is there objection?

Mr. GOSS. Mr. Speaker, I reserve the right to object. Is that meant to indemnify or identify?

Mr. MILLIGAN. It is meant to identify.

Mr. GOSS. Is this the same bridge bill that is before the Committee on Military Affairs?

Mr. KNUTE HILL. It is.

Mr. GOSS. In connection with the building of a bridge across that canal?

Mr. KNUTE HILL. This bill was passed authorizing the Dalles Bridge Co. to build that bridge in the last session of the Congress. There are two Dalles companies. One is a corporation organized in Washington and the other is organized in Oregon. It was not specified in the bill, and this is to identify the Washington corporation and not the Oregon.

Mr. GOSS. The gentleman is aware of the fact that the Committee on Military Affairs has a bill before it about this same bridge, at the present time, and that the subcommittee having it in charge has not reported the bill favorably?

I understand there was some difficulty about the land over the canal and rights of way there.

Mr. MILLIGAN. Will the gentleman yield?

Mr. GOSS. Yes; I yield.

Mr. MILLIGAN. That is not involved in this bill. The authority to build this bridge was granted in the last session.

Mr. GOSS. I understand that.

Mr. MILLIGAN. There are two corporations—an Oregon corporation and a Washington corporation. This merely designates the corporation as the Washington corporation.

Mr. GOSS. But the Committee on Military Affairs, of which I am a member, has this same bill back again, because they could not build the bridge without certain amendments to the bill as it passed the House last year.

Mr. MILLIGAN. Is that not for authority to construct over certain Government land?

Mr. GOSS. Yes.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. GOSS. I yield.

Mr. COCHRAN of Missouri. Is this bridge to be constructed over the Columbia River at Astoria?

Mr. GOSS. No; not at Astoria. It is at The Dalles. The bill that was passed last year would not give authority to build this bridge over a Government canal without additional authority. The Military Affairs Committee has that bill before it. The only reason they have it instead of the Committee on Interstate and Foreign Commerce is because it affects the War Department's property. I do not want to see this mixed up with that bill which is before the committee now.

Mr. MILLIGAN. That has nothing to do with it.

Mr. GOSS. I wish the gentleman would let this go over until the Chairman of the Committee on Military Affairs is present. I would ask the gentleman to let it go over without prejudice until the Chairman of the Military Affairs Committee is on the floor.

Mr. MILLIGAN. That will be satisfactory.

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. Goss]?

There was no objection.

TOLL BRIDGE ACROSS MISSOURI RIVER, PLATTE COUNTY, MO., TO KANSAS CITY, KANS.

The Clerk called the next business on the Consent Calendar (H.J.Res. 159) granting the consent of Congress to a compact or agreement between the State of Kansas and the State of Missouri authorizing the acceptance for and on behalf of the States of Kansas and Missouri of title to a toll bridge across the Missouri River from a point in Platte County, Mo., to a point at or near Kansas City, in Wyandotte County, Kans., and specifying the conditions thereof.

The SPEAKER. Is there objection to the present consideration of the House joint resolution?

Mr. COCHRAN of Missouri. Reserving the right to object, I should like to ask the author of the bill why the suggestion of the Department of Agriculture was not carried out? The letter from the Assistant Secretary of Agriculture suggests an amendment, that some provision should be inserted, conditioning the approval of Congress to said compact or agreement upon the maintenance and operation of the bridge free of tolls after the amortization of its construction costs.

Mr. MILLIGAN. If the gentleman will look on page 5 of the report on the original bill granting the franchise to build this bridge, he will see that provision is contained in the original authority.

Mr. COCHRAN of Missouri. It is in the original authority?

Mr. MILLIGAN. Yes.

Mr. COCHRAN of Missouri. Then the Department of Agriculture did not have that information before it?

Mr. MILLIGAN. They were mistaken.

Mr. COCHRAN of Missouri. Eventually it is to become a free bridge?

Mr. MILLIGAN. Yes, sir.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Whereas by an act of Congress approved May 22, 1928, a franchise was granted to the Interstate Bridge Co. for the construction of a toll bridge across the Missouri River at or near Kansas City, Kans., which has been extended by the acts of March 2, 1929, and June 30, 1930, and which is now owned by the Regional Bridge Co., a corporation organized and existing under the laws of the State of Delaware, as assignee of the Interstate Bridge Co.; and

Whereas authority has been granted to the State Highway Commission of Kansas by an act of the Legislature of the State of Kansas, approved March 24, 1933, and published in the official State paper on March 27, 1933, and to the State Highway Commission of Missouri by an identical act, *mutatis mutandis*, of the General Assembly of the State of Missouri, approved April 17, 1933, to include in the highway systems of the respective States of Kansas and Missouri any toll bridge across any river forming a common boundary between the two States; to join in entering into contracts with the owner of any such toll bridge and with the holders of any bonds issued in connection with the construction of such bridge, by the terms of which the State Highway Commissions of Kansas and Missouri shall maintain, operate, and insure such bridge, and fix and collect and apply tolls thereon, and shall construct, maintain, and operate as free State highways, approaches thereto, and shall make and treat as part of the highway system of their respective States such entire bridge and any part of such approaches lying within their respective States; and to accept conveyance of title to and ownership of any such bridge or part thereof situated within their respective States, subject to any encumbrance against any such bridge and pledge of its tolls previously executed; and

Whereas Regional Bridge Co. has obtained an agreement from the Reconstruction Finance Corporation of the United States to aid in financing the construction of a bridge under the franchise granted by the act of May 22, 1928, and extensions thereof, under authority of the act of Congress known as the "Emergency Relief and Construction Act of 1932", by purchasing at par the bonds of Regional Bridge Co., secured by mortgage on such bridge, in the amount of \$600,000, upon condition that certain requirements be met and agreed to by the States of Kansas and Missouri; and

Whereas the Legislature of the State of Kansas and the General Assembly of the State of Missouri, to make effective the acts of their respective legislative bodies herein cited and to meet the requirements imposed by the Reconstruction Finance Corporation have each adopted the following resolution:

"Whereas Regional Bridge Co., a corporation organized and existing under the laws of the State of Delaware, is the owner and holder of a franchise granted by the Congress of the United States to construct (according to plans approved by the War Department of the United States), maintain, and operate a toll bridge across the Missouri River from a point at or near Kansas

City in Wyandotte County, Kans., to a point in Platte County, Mo.; and

"Whereas Regional Bridge Co. desires to commence the construction of such bridge as soon as the same is fully financed; and

"Whereas Reconstruction Finance Corporation of the United States has agreed with Regional Bridge Co. to aid in financing the construction of such bridge, under authority of the act of Congress known as the 'Emergency Relief and Construction Act of 1932', by purchasing at par the bonds of Regional Bridge Co., secured by mortgage on such bridge, in the amount of \$600,000; but

"Whereas Reconstruction Finance Corporation has imposed certain requirements, to be met and agreed to by the States of Missouri and Kansas, as conditions precedent to its purchase of such bonds; and

"Whereas inasmuch as such bridge will form an important link in and improvement to the highway systems of the States of Missouri and Kansas, and will be of benefit and advantage to the citizens of both, and the public, and inasmuch as Regional Bridge Co., by resolution duly passed by the unanimous vote of its stockholders, has agreed to transfer and convey such bridge, free of cost, to the State Highway Commissions of Missouri and of Kansas, on behalf of such States of Missouri and Kansas, jointly, such conveyance to be made as soon as such mortgage shall have been properly recorded in both Missouri and Kansas, subject to the right of and duty upon Regional Bridge Co. fully to complete the construction of such bridge, it is to the interest and benefit of the States of Missouri and Kansas, and the citizens of both, that the States of Missouri and Kansas meet and agree to the requirements of the Reconstruction Finance Corporation, as conditions precedent to the purchase of such bonds: Now, therefore

"In consideration of the benefits and advantages accruing to the States of Missouri and Kansas, and the citizens of both, and in consideration of the adoption of this resolution by both the States of Missouri and Kansas, the States of Missouri and Kansas hereby enter into the following compact and agreement: Be it

Resolved by the Senate of the State of Kansas (the house of representatives agreeing thereto):

"Section 1. Regional Bridge Co., its successors and assigns, shall be, and it is hereby, authorized to construct, maintain, and operate such bridge across the Missouri River from a point at or near Kansas City, in Wyandotte County, Kans., to a point in Platte County, Mo., according to plans approved by the War Department of the United States; and the said States hereby authorize Regional Bridge Co. to enter upon and use for the purpose of constructing, maintaining, and operating such bridge all necessary lands under water belonging to said States, and the fee to any lands so used shall upon such use be vested in such Regional Bridge Co.

"Sec. 2. The State Highway Commission of Missouri and the State Highway Commission of Kansas shall be, and they are hereby, authorized and directed to accept, when tendered by Regional Bridge Co., conveyance of such bridge and franchise therefor to such State Highway Commission jointly, on behalf of the States of Missouri and Kansas. Such conveyance shall not be in assumption of such mortgage, but shall expressly be subject to such mortgage, and to the right and duty upon Regional Bridge Co. fully to complete the construction of such bridge.

"Sec. 3. The State Highway Commission of Missouri and the State Highway Commission of Kansas shall be, and they, and each of them, hereby are, authorized to maintain, operate, and insure such bridge and to fix and collect tolls thereon and apply such tolls, and to enter into any and all contracts with said Reconstruction Finance Corporation or any other party or parties considered by said highway commissions, or either of them, to be necessary or expedient for or in connection with the proper maintenance, operation, and insurance of such bridge and such fixing, collection, and application of tolls thereon, and to incur joint and several obligations under such contracts; and to construct and maintain, and to enter into any contracts, severally, with said Reconstruction Finance Corporation or any other party or parties, considered by said highway commissions or either of them to be necessary or expedient, for or in connection with the construction and maintenance of approaches to such bridge and roadways leading thereto, lying within their respective States. And said highway commissions, and each of them, are further authorized to make and treat as a part of the State highway system of their respective States the entire such bridge and that portion of the approaches thereto lying within their respective States, and to enter into contracts with the Reconstruction Finance Corporation or any other party or parties in respect thereto.

"Sec. 4. Neither the State of Kansas nor the State of Missouri, nor any department or political subdivision thereof, shall construct or cause to be constructed, or grant any right, privilege, or franchise for the construction of, any bridge, ferry, tunnel, or other competing facility across or under the Missouri River within a distance of 5 miles from said bridge, measured along the meanderings of the thread of the stream of the Missouri River, until the construction costs of said bridge, with interest thereon, shall have been fully paid.

"Sec. 5. To the faithful observance of this compact and agreement the States of Missouri and Kansas, by the adoption of this resolution, each pledges its good faith.

"Sec. 6. This compact and agreement shall be in force and take effect from and after its adoption by the General Assembly of the State of Missouri, and approval by the Governor of Missouri, and

its adoption by the Legislature of the State of Kansas, and approval by the Governor of Kansas, and publication in the official State paper of the State of Kansas, and upon its receiving the consent and approval of the Congress of the United States": Therefore be it—

Resolved, etc., That the consent of Congress is hereby given to the aforesaid compact or agreement and to each and every term and provision thereof, and to all agreements to be made pursuant thereto by and between the said States or any agencies, commissions, or public or municipal bodies thereof: *Provided*, That nothing herein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the State or with foreign countries, or any bridge, railroad highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof: *And provided further*, That the right to alter, amend, or repeal this resolution or any part thereof is hereby expressly reserved.

With the following committee amendment:

On page 7, line —, after the word "public", insert the words "or municipal."

The committee amendment was agreed to.

The House joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ST. LAWRENCE BRIDGE COMMISSION

The Clerk called the next business on the Consent Calendar, H.R. 5329, creating the St. Lawrence Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That in order to facilitate international commerce, the St. Lawrence Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission") and its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Lawrence River at or near the city of Ogdensburg, N.Y., at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in the Dominion of Canada. For like purposes said Commission and its successors and assigns are hereby authorized to purchase, maintain, and operate all or any ferries across the St. Lawrence River within 5 miles of the location which shall be selected for said bridge, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of New York as may be needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of New York, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in such State; and the Commission and its successors and assigns may exercise in the Dominion of Canada all rights, powers, and authority which shall be granted or permitted to the Commission by the proper authorities of the Dominion of Canada or of the Province of Ontario, including the entering upon lands and acquiring, condemning, occupying, possessing, and using such real estate and other property in the Dominion of Canada as may be needed for such location, construction, operation, and maintenance of such bridge.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and such ferry or ferries in accordance with the provisions of this act.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches and the ferry or ferries and the necessary lands, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 6 percent per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this act. Such bonds may be registerable as to principal alone or both principal and interest, shall be in such form not inconsistent with this act, shall mature at such time or times not exceeding 30 years from their respective dates, shall be in such denominations, shall be executed in such manner and be

payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of moneys on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreements may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security given by the bridge contractors and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The bridge constructed under the authority of this act shall be deemed to be an instrumentality for international commerce authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6 percent interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches, and the land, easements, and appurtenances used in connection therewith and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith. The cost of the bridge and ferry or ferries shall be deemed to include interest during construction of the bridge, and for 12 months thereafter, and all engineering, legal, architectural, traffic surveying, and other expenses incident to the construction of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, rights, plans, and works of and relating to the bridge, now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons of any denomination whatsoever, exchangeable for definitive bonds when such bonds have been executed and are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of depreciating, maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than 6 months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission or of the Governments of the United States or Canada while in the discharge of their duties.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its

successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within the United States to the State of New York or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "United States interests") and that part within Canada to the Dominion of Canada or to such Province, municipality, or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Canadian interests"), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by the United States interests and the Canadian interests, as may be agreed upon; but if either the United States interests or the Canadian interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management, until such time as both the United States interests and the Canadian interests shall be authorized to accept and shall accept such conveyance under such conditions. If at the time of such conveyance the Commission or its successors shall not have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms as the Commission or its successors may determine, but in making any such sale preference shall be given to the Canadian interests and thereafter to the United States interests before any sale except to such respective interests.

Sec. 8. For the purpose of carrying into effect the objects stated in this act there is hereby created the St. Lawrence Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this act.

The Commission shall consist of Walter Willson, George W. Sisson, Jr., John Bird, James C. Dolan, Albert P. Newell, Charles Steger, Franklin R. Little, Felix Hulser, Arthur Belgard, Robert H. McEwen, and Julius Frank. Such Commission shall be a body corporate and politic constituting a public-benefit corporation. Any vacancy occurring in said Commission shall be filled by a majority vote of the remaining members of the Commission, and notices of elections to fill vacancies and of acceptances thereof shall be filed with the county clerk of St. Lawrence County, N.Y. Each member of the Commission and their respective successors shall qualify by giving such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned for the faithful performance of all duties required by this act. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. Five members shall constitute a quorum for the transaction of business: *Provided, however*, That if there be less than five members of said Commission on account of vacancies, the remaining member or members may fill such vacancies.

Sec. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this act. The members of the Commission shall be entitled to a per diem compensation for their services of \$10 for each day actually spent in the business of the Commission, but the maximum compensation of the chairman in any year shall not exceed \$2,500 and of each other member shall not exceed \$500. The members of the Commission shall also be entitled to receive traveling expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the United States interests and the Canadian interests as herein provided, and any

ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Ogdensburg, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least 30 days before the date thereof, in a newspaper published in the city of Ogdensburg, N.Y., and a newspaper published in Prescott, Ontario. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said United States interests and the other to said Canadian interests.

Sec. 10. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this act. No obligation created or liability incurred pursuant to this act shall be an obligation or liability of any member or members of the Commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this act be an indebtedness of the United States.

Sec. 11. All provisions of this act may be enforced, or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of New York, the United States district attorney for the district in which the bridge may be located in part, or by the Solicitor General of the Dominion of Canada in any court having competent jurisdiction of the subject matter and of the parties.

Sec. 12. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS EAST RIVER BETWEEN BRONX AND WHITESTONE LANDING

The Clerk called the next bill, H.R. 5394, authorizing Charles V. Bossert, his heirs and assigns, to construct, maintain, and operate a bridge across the East River between Bronx and Whitestone Landing.

Mr. BLANCHARD. Mr. Speaker, I object.

CALENDAR WEDNESDAY BUSINESS

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday, tomorrow, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

RECEIVERS, TRUSTEES, REFEREES IN BANKRUPTCY, AND RECEIVERS IN EQUITY CAUSES

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 110 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, when in its judgment such investigations are justified, the Judiciary Committee of the House of Representatives be, and it is hereby, authorized to inquire into and investigate the matter of appointments, conduct, proceedings, and acts of receivers, trustees, referees in bankruptcy, and receivers in equity causes for the conservation of assets within the jurisdiction of the United States district courts.

Sec. 2. The said committee, or subcommittees thereof, to be appointed by the Chairman of the Judiciary Committee, shall specifically inquire into and investigate the selection of receivers and trustees, and the selection and appointment of counsel and assistants to such receivers and trustees, referees, custodians, auctioneers, appraisers, accountants, and other aides to the court in the administration of bankruptcy estates and equity receiverships; and shall inquire into and investigate all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

Sec. 3. The said committee, or any subcommittee thereof, to be appointed by the Chairman of the Judiciary Committee, shall inquire into and investigate the action of any district judge or judges in the setting up and promulgating of any rule or rules of practice of the court appointing the same person or corporation as receiver in all cases or in any class of cases, and to inquire into and investigate the action of any district judge or judges in setting up and promulgating any rule or rules of practice of the court which in effect, directly or indirectly, interferes with or prevents the control of bankruptcy estates by creditors according to the spirit and letter of the bankruptcy statutes; and to inquire into and investigate all other questions in relation thereto that would aid the Congress in any necessary remedial legislation.

Sec. 4. The committee shall report to the House of Representatives not later than the 31st day of January 1934 the result of its investigation, together with such recommendations as it deems advisable.

SEC. 5. The said committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to employ suitable counsel, assistants, and investigators in aid of its investigation, as well as such experts, and such clerical, stenographic, and other assistants, to require the attendance of such witnesses and the production of such books, papers, and documents, by subpoena or otherwise, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary; and all such expenses thereof shall be paid on vouchers ordered by said committee and approved by the Chairman thereof. Subpoenas shall be issued under the signature of the chairman of the Judiciary Committee or of the chairman of any subcommittee and shall be served by any person designated by any of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

Mr. SMITH of Virginia. Mr. Speaker—

Mr. COCHRAN of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COCHRAN of Missouri. Is this bill being considered under unanimous consent?

The SPEAKER. This is a privileged resolution from the Committee on Rules.

Mr. COCHRAN of Missouri. This is an innocent-looking proposition on its face, but before we go into it—

Mr. SMITH of Virginia. Mr. Speaker, I prefer not to yield at this time. I will discuss the matter fully.

Mr. BLANTON. Mr. Speaker, I reserve a point of order on the resolution before it is discussed.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Pennsylvania [Mr. RANSLEY] and I yield myself 5 minutes.

Mr. Speaker, this is a resolution for a broad and general investigation of the practice in Federal courts in the matter of the appointment of receivers and trustees in bankruptcy cases and of receivers in equity cases.

The resolution came to the Rules Committee from the Judiciary Committee with a request for a rule. I am informed that the Judiciary Committee unanimously asked for the investigation and asked for the rule upon which the matter now comes before the House.

This resolution in its original form, as first introduced by the gentleman from New York, called for an investigation primarily of the situation in the city of New York with respect to the Irving Trust Co. There is a rule of court in that city under which the Irving Trust Co., and the Irving Trust Co. alone, can be appointed receiver or trustee in any bankruptcy case; and I am informed that they have been appointed in something like 5,000 cases.

When that resolution came before the Rules Committee there was some discussion about it, and it attracted some attention. There came a demand from numerous quarters of the country for a general investigation of this subject because of alleged abuses, both in the matter of the appointment of receivers and trustees, in the matter of favoritism, and in the matter of the allowance of most excessive fees in many of these bankruptcy estates.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. SNELL. I did not understand the necessity for the consideration of this resolution at the present time. Will the gentleman tell the House the necessity of it?

Mr. SMITH of Virginia. It is necessary because of alleged abuses, if I may so term it, with respect to favoritism in the appointment of receivers, and the allowance of large fees which are regarded as excessive by the bar associations of numerous parts of the country.

Now, I do not know how general it is, but since this resolution has been up there has come to my attention complaint from a number of different cities, complaint from bar associations in several places. The gentlemen who will follow me will go more into detail than I can, but the bar associations of several large cities, I am told, have asked this investigation and have passed resolutions.

Mr. SNELL. Mr. Speaker, will the gentleman yield for another question?

Mr. SMITH of Virginia. I yield.

Mr. SNELL. Is it not a fact that these judges appointed the Irving Trust Co. because they wanted someone who would preserve some of the funds of the creditors? Was not that the original intent?

Mr. SMITH of Virginia. I understand that there was some difficulty in New York with respect to those matters and that as a solution of it the courts thought that the appointment of one trustee in all cases would solve the difficulty, but it is charged that this has led to other conditions that are far from satisfactory.

Mr. BLANTON. Mr. Speaker, the discussion has gone along far enough now that I shall make the point of order. The Speaker may as well rule now as at any other time.

I call the Speaker's attention to section 5 of the resolution, page 3, reading as follows:

The said committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned—

This shows they can sit any time and anywhere in the United States, from Alaska to the Gulf of Mexico. It is further provided that they may—

Hold such hearings, employ suitable counsel, assistants, and investigators in aid of its investigation, as well as such experts, and such clerical, stenographic, and other assistants, to require the attendance of such witnesses and the production of such books, papers, and documents, by subpoena or otherwise, to take such testimony, to have such printing and binding done, and to make such expenditures as it deems necessary; and all such expenses thereof shall be paid on vouchers ordered by said committee and approved by the chairman thereof.

Mr. Speaker, I make the point of order that the Committee on Rules has no jurisdiction whatever to report to this House a resolution of this kind, because the resolution shows on its face that it is a charge on the Treasury.

Such a resolution as this could cost the Government \$200,000, or even twice that sum. The 25 members of this Committee on the Judiciary, or any subcommittee thereof, between now and the 1st of next January could sit in every big city in the United States from the Atlantic to the Pacific. Their railroad fare, traveling expenses, hotel bills, would be paid by Congress. They could employ as many lawyers as they wished, and pay them any salaries they wished, wholly without limitation. They could employ high-priced experts, clerks, stenographers, wholly without limit. We know how much the Joe Walsh committee cost. We know how much the Graham, of Illinois, committee cost. We know that the coal investigating committee cost, first, \$400,000, and then another \$400,000. We know that the initial cost of the Wickersham Committee was \$500,000. I am going to try to stop all such resolutions that do not provide for a limitation of expenses. This resolution is clearly subject to a point of order, because the Committee on Rules does not have any authority or jurisdiction to report such a measure that carries such a charge on the Treasury.

While the Rules Committee would have the right to bring in a rule to make such a matter in order, it has no right, in the first instance, to favorably report such a resolution. I insist that my point of order is good and should be sustained.

Mr. O'CONNOR. Mr. Speaker, this matter was considered by the Rules Committee, and it was the general opinion of the members that where the resolution carried no appropriation there could be no charge on the Treasury, and that before any money would be available to pay the vouchers mentioned in the resolution, a resolution would have to be introduced and considered by the Accounts Committee and reported by that committee and passed by the House. As a further check on the expenditure of the funds of the Government there is, of course, the Appropriations Committee.

This language is the usual language carried of late in such resolutions. Of course, the privilege would be destroyed if there were a specific amount appropriated to meet these expenses.

I know there has been some question of this kind raised every time one of these resolutions has come up. I raised the question myself, and the matter was discussed in the Rules Committee. It was brought to the attention of the gentleman from New Jersey [Mr. LEHLBACH], whom we consider a very good parliamentarian, and the gentleman from New Jersey felt that the provision as it exists in this resolution, without any appropriation being made, did not take away from the resolution its privilege under the rules of the House.

Mr. SNELL. Will the gentleman yield to me?

Mr. O'CONNOR. Yes.

Mr. SNELL. I appreciate that what the gentleman has said is partly correct, and at times we have reported out of the Rules Committee similar resolutions. But, as a matter of fact, when there was really anything at stake or when any question was raised about it, we never reported such resolutions, because there is absolutely no doubt in my mind but what the section to which the gentleman from Texas has made a point of order is subject to the point of order.

Mr. O'CONNOR. Now, to be practical, what is the efficacy of such vouchers if you have not provided the money? How can anybody enforce a charge on the Government under the language of this resolution?

Mr. SNELL. That is partly true, but in the final analysis the language does authorize something the Rules Committee has not the right to authorize at the present time. I thought the gentleman had brought in a resolution making this in order, the same as was done with respect to the resolution the other day.

Mr. O'CONNOR. The resolution which was made in order by a rule the other day carried some appropriation, as I recall it.

Mr. SNELL. The language was practically the same as the language of this section. It did not specify any particular amount of money.

Mr. COCHRAN of Missouri. If the gentleman will permit, there was no specific amount named in the Sirovich resolution. It was my purpose as a member of the Committee on Accounts to bring up the very question that the gentleman from Texas has now raised. When the House passes a resolution of this character, we are asked to bring in a resolution from the Committee on Accounts providing for the money. The committee that is to act always holds when the House passes a resolution it is a mandate and we are called upon to provide money. It seems to me there should be some limitation placed in resolutions of this character. There is no limitation here whatever. The whole thing is wide open. That is not good business. Lawyers, accountants, clerks, and so forth, cost money. How far do you want to go?

Mr. O'CONNOR. I raised the question myself, I may say, in the Rules Committee as to whether or not this language was in order, and that committee finally felt that it did not strictly violate the rules, because the veto power is in the gentleman's Committee on Accounts. There is no mandate on the Accounts Committee to either report a resolution or to provide one dollar of money.

Mr. COCHRAN of Missouri. But the gentleman will find the members of the Judiciary Committee will come before the Accounts Committee saying that this is a mandate and that it is our duty as an agency of the House to carry out the will of the House. Give us plenty of money, they will say. This is a large proposition and will extend from coast to coast.

Mr. BLANTON. Will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. BLANTON. As he is a good lawyer, I want to ask the gentleman from New York if it is not a fact that if we pass this resolution, and the Judiciary Committee enters into a contract tomorrow with lawyers to pay them \$10,000 each, or with certain experts to pay them \$5,000 each, does not the gentleman know that that is a moral obligation on the Congress which we must fulfill and that we would not break such a contract as that?

Mr. O'CONNOR. What the gentleman says may be true, but that is the very most it is—"a moral obligation"—and I do not believe the gentleman feels that the Judiciary Committee, headed by the distinguished gentleman from his own State [Mr. SUMNERS], is going to do any such thing as to obligate the Government, even morally, until he presents the facts to the Committee on Accounts.

Mr. BLANTON. I am in favor of stopping these outrageous trustee and receivership fees, but this kind of spending resolution is not going to stop it. It will take proper legislation to do that, and instead of passing resolutions like this to ascertain what most of us already know, we ought to bring in some legislation to stop it. The paying of outrageous fees to receivers and trustees, as has been done in certain cases, is outrageous, and we ought to stop it.

Mr. O'CONNOR. The only purpose the gentleman's point of order would serve would be to delay an investigation which the gentleman admits should be made.

Mr. BLANTON. No; not an investigation. I am not in favor of investigations. I want to stop these junkets. My purpose in making this point of order is to stop a useless junket that will cost a great sum of money and accomplish nothing.

Mr. O'CONNOR. We were advised in the Rules Committee unanimously by the Judiciary Committee that this matter should be gone into. Of course, in every instance when a point of order is made, such as has been made in this case, if the point of order lies, the Rules Committee is confronted with the necessity of bringing in a rule to make it in order.

Mr. SNELL. It has always been the custom to take care of such matters in some other way. I am quite sure that whenever the question has been raised, a point of order has lain against it.

Mr. O'CONNOR. I do not recall the point having been raised in the past 10 years.

Mr. SNELL. Oh, I recall that it has been raised a dozen times, and I have tried sometimes to argue against it.

Mr. O'CONNOR. I think whenever the point was raised, in every instance there was an appropriation.

Mr. SNELL. You do not necessarily have to provide an appropriation of \$5,000, for instance, to make it subject to a point of order. You authorize an appropriation in this resolution.

Mr. BLANTON. This resolution clearly is subject to a point of order. It authorizes this big committee to sit all over the United States, wherever and whenever it wants to sit, between now and next January 1. Who says that will not cost a lot of money? It authorizes this committee to employ high-priced lawyers and fix their salaries, wholly without limit. That could cost a large sum of money. It authorizes this committee to employ experts and clerks and stenographers and to have printing done, and the expenses are to be paid by vouchers approved by the chairman. Certainly that is a charge on the Treasury, and the Committee on Rules does not have authority to report such a measure.

The SPEAKER. The Chair is ready to rule.

The Chair thinks that the provision incorporated in section 5 of the resolution authorizing the committee to employ suitable counsel, assistants, and investigators in the aid of its investigation, and also the provision authorizing all necessary expenses of the investigation to be paid on vouchers approved by the chairman of the committee, is a matter properly within the jurisdiction of the Committee on Accounts. It has been held that where the Committee on Rules reports a resolution of this kind and there is incorporated therein matter which is within the jurisdiction of another committee the matter so included destroys the privilege of the resolution insofar as it prevents consideration at any time by the mere calling up of the report by the Committee on Rules. For this reason the Chair thinks that the point of order is well taken, and the Chair therefore sustains the point of order.

RECESS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the House stand in recess, at the call of the Speaker, to receive a message from the President of the United States.

Mr. BRITTEN. Reserving the right to object, can the gentleman give us some idea as to the time the message may be expected?

The SPEAKER. The Chair will answer that. The message is expected at any minute.

Mr. BLANTON. The Speaker will give us the 3-bell call.

The SPEAKER. The Chair will have the bells rung 5 minutes before the reconvening of the House. Is there objection?

There was no objection.

Accordingly (at 1 o'clock and 25 minutes p.m.) the House stood in recess, at the call of the Speaker.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 33 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on May 12, 1933, the President approved and signed bills of the House of the following titles:

H.R. 3835. An act to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint-stock land banks, and for other purposes;

H.R. 48. An act to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.;

H.R. 1596. An act to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.;

H.R. 4127. An act to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C.;

H.R. 4491. An act to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio; and

H.R. 4606. An act to provide for cooperation by the Federal Government with the several States and Territories and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes.

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk, referred to the Committee on Foreign Affairs, and ordered printed:

WORLD POLITICAL AND ECONOMIC PEACE (H.DOC. NO. 36)

To the Congress:

For the information of the Congress I am sending herewith a message that I have addressed this morning to the sovereigns and presidents of those nations participating in the disarmament conference and the world monetary and economic conference.

I was impelled to this action because it has become increasingly evident that the assurance of world political and economic peace and stability is threatened by selfish and short-sighted policies, actions, and threats of actions.

The sincere wish for this assurance by an overwhelming majority of the nations faces the danger of recalcitrant obstruction by a very small minority, just as in the domestic field the good purposes of a majority in business, labor, or in other cooperative efforts are often frustrated by a selfish few.

The deep-rooted desire of Americans for better living conditions and for the avoidance of war is shared by mass humanity in every country. As a means to this end I have, in the message to the various nations, stressed the practical necessity of reducing armaments. It is high time for us and for every other nation to understand the simple fact that the invasion of any nation, or the destruction of a national sovereignty, can be prevented only by the complete

elimination of the weapons that make such a course possible today.

Such an elimination will make the little nation relatively more secure against the great nation.

Furthermore, permanent defenses are a nonrecurring charge against governmental budgets while large armies, continually rearmed with improved offensive weapons, constitute a recurring charge. This, more than any other factor today, is responsible for governmental deficits and threatened bankruptcy.

The way to disarm is to disarm. The way to prevent invasion is to make it impossible.

I have asked for an agreement among nations on four practical and simultaneous steps:

First. That through a series of steps the weapons of offensive warfare be eliminated.

Second. That the first definite step be taken now.

Third. That while these steps are being taken no nation shall increase existing armaments over and above the limitations of treaty obligations.

Fourth. That subject to existing treaty rights no nation during the disarmament period shall send any armed force of whatsoever nature across its own borders.

Our people realize that weapons of offense are needed only if other nations have them, and they will freely give them up if all the nations of the world will do likewise.

In the domestic field the Congress has labored in sympathetic understanding with me for the improvement of social conditions, for the preservation of individual human rights, and for the furtherance of social justice.

In the message to the nations which I herewith transmit I have named the same objectives. It is in order to assure these great human values that we seek peace by ridding the world of the weapons of aggression and attack.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 16, 1933.

MAY 16, 1933.

The following message was cabled today to the sovereigns and presidents of the nations listed below:

His Majesty Zog I, King of the Albanians, Tirana, Albania.

His Excellency Agustin P. Justo, President of the Argentine Nation, Buenos Aires, Argentina.

His Excellency Wilhelm Miklas, President of the Confederation of Austria, Vienna, Austria.

His Majesty Albert, King of the Belgians, Brussels, Belgium.

His Excellency Getulio Vargas, President of the United States of Brazil, Rio de Janeiro, Brazil.

His Excellency Enrique Olaya Herrera, President of the Republic of Colombia, Bogota, Colombia.

His Excellency Daniel Salamanca, President of Bolivia, La Paz, Bolivia.

His Majesty Boris III, King of the Bulgarians, Sofia, Bulgaria.

His Excellency Arturo Alessandri, President of the Republic of Chile, Santiago, Chile.

His Excellency Ricardo Jimenez, President of Costa Rica, San Jose, Costa Rica.

His Excellency Lin Sen, President of the National Government of the Republic of China, Nanking, China.

His Excellency Gerardo Machado, President of the Republic of Cuba, Habana, Cuba.

His Excellency Thomas G. Masaryk, President of Czechoslovakia, Praha, Czechoslovakia.

His Majesty Christian X, King of Denmark, Copenhagen, Denmark.

His Excellency Rafael Leonidas Trujillo, President of the Dominican Republic, Santo Domingo, Dominican Republic.

His Excellency Juan de Dios Martinez Mira, President of the Republic of Ecuador, Quito, Ecuador.

His Majesty Fouad I, King of Egypt, Cairo, Egypt.

His Excellency Konstantin Pats, Head of State, Tallinn, Estonia.

His Imperial Majesty Haile Selassie I, Emperor of Ethiopia, Addis Ababa, Ethiopia.

His Excellency Pehr Evind Svinhufvud, the President of Finland, Helsingfors, Finland.

His Excellency M. Albert Lebrun, President of the French Republic, Paris, France.

His Excellency Field Marshal Paul von Beneckendorff und von Hindenburg, President of the Reich, Berlin, Germany.

His Majesty George V, the King of Great Britain, Ireland, and the British Dominions Beyond the Seas, Emperor of India, etc., etc., London, England.

His Excellency Alexander Zaimis, President of the Hellenic Republic, Athens, Greece.

His Excellency Jorge Ubico, President of the Republic of Guatemala, Guatemala, Guatemala.

His Excellency Stenio Vincent, President of Haiti, Port au Prince, Haiti.

His Serene Highness Admiral Nicholas De Hortby, Regent of the Kingdom of Hungary, Budapest, Hungary.

His Excellency Tiburcio Carias A., Constitutional President of the Republic of Honduras, Tegucigalpa, Honduras.

His Majesty Victor Emanuel III, King of Italy, Rome, Italy.

His Majesty Hirohito, Emperor of Japan, Tokyo, Japan.

His Excellency Alberts Kviesis, President of the Republic of Latvia, Riga, Latvia.

His Excellency Antanas Smetona, President of the Republic of Lithuania, Kaunas, Lithuania.

Her Royal Highness Charlotte, Grand Duchess of Luxembourg, Luxembourg, G.D.

His Excellency General Abelardo L. Rodriguez, President of the United Mexican States, Mexico City, Mexico.

Her Majesty Wilhelmina, Queen of the Netherlands, The Hague, Netherlands.

His Excellency Juan D. Sacasa, President of the Republic of Nicaragua, Managua, Nicaragua.

His Majesty Haakon VII, King of Norway, Oslo, Norway.

His Excellency Harmodio Arias, President of Panama, Panama, Panama.

His Excellency Eusebio Ayala, President of the Republic of Paraguay, Asuncion, Paraguay.

His Majesty Faisal I, King of Iraq, Baghdad, Iraq.

His Excellency Ignace Moscicki, President of the Republic of Poland, Warsaw, Poland.

His Excellency Gen. Oscar Benavides, President of Peru, Lima, Peru.

His Excellency Gen. Antonio Oscar de Frago de Carmona, President of the Republic of Portugal, Lisbon, Portugal.

His Majesty Carol II, King of Rumania, Bucharest, Rumania.

President Michail Kalinin, All Union Central Executive Committee, Moscow, Russia.

His Majesty Prajadhipok, King of Siam, Bangkok, Siam.

His Excellency Alcala Zamora, President of the Spanish Republic, Madrid, Spain.

His Imperial Majesty Reza Shah Pahlevi, Shah of Persia, Teheran, Persia.

His Majesty Gustaf V, King of Sweden, Stockholm, Sweden.

His Excellency Edmond Schulthess, President of the Swiss Confederation, Berne, Switzerland.

His Excellency Gazi Mustafa Kemal, President of the Turkish Republic, Ankara, Turkey.

His Excellency Gabriel Terra, President of the Republic of Uruguay, Montevideo, Uruguay.

His Excellency Juan V. Gomez, President of the United States of Venezuela, Caracas, Venezuela.

His Majesty Alexander I, King of Yugoslavia, Belgrade, Yugoslavia.

THE MESSAGE

A profound hope of the people of my country impels me, as the head of their Government, to address you, and through you the people of your nation. This hope is that peace may be assured through practical measures of disarmament and that all of us may carry to victory our common struggle against economic chaos.

To these ends the nations have called two great world conferences. The happiness, the prosperity, and the very

lives of the men, women, and children who inhabit the whole world are bound up in the decisions which their governments will make in the near future. The improvement of social conditions, the preservation of individual human rights, and the furtherance of social justice are dependent upon these decisions.

The World Economic Conference will meet soon and must come to its conclusions quickly. The world cannot await deliberations long drawn out. The conference must establish order in place of the present chaos by a stabilization of currencies, by freeing the flow of world trade, and by international action to raise price levels. It must, in short, supplement individual domestic programs for economic recovery, by wise and considered international action.

The Disarmament Conference has labored for more than a year and, as yet, has been unable to reach satisfactory conclusions. Confused purposes still clash dangerously. Our duty lies in the direction of bringing practical results through concerted action based upon the greatest good to the greatest number. Before the imperative call of this great duty, petty obstacles must be swept away and petty aims forgotten. A selfish victory is always destined to be an ultimate defeat. The furtherance of durable peace for our generation in every part of the world is the only goal worthy of our best efforts.

If we ask what are the reasons for armaments, which, in spite of the lessons and tragedies of the World War, are today a greater burden on the peoples of the earth than ever before, it becomes clear that they are twofold: First, the desire, disclosed or hidden, on the part of governments to enlarge their territories at the expense of a sister nation. I believe that only a small minority of governments or of peoples harbor such a purpose. Second, the fear of nations that they will be invaded. I believe that the overwhelming majority of peoples feel obliged to retain excessive armaments because they fear some act of aggression against them and not because they themselves seek to be aggressors.

There is justification for this fear. Modern weapons of offense are vastly stronger than modern weapons of defense. Frontier forts, trenches, wire entanglements, coast defenses—in a word, fixed fortifications—are no longer impregnable to the attack of war planes, heavy mobile artillery, land battleships called tanks, and poison gas.

If all nations will agree wholly to eliminate from possession and use the weapons which make possible a successful attack, defenses automatically will become impregnable, and the frontiers and independence of every nation will become secure.

The ultimate objective of the Disarmament Conference must be the complete elimination of all offensive weapons. The immediate objective is a substantial reduction of some of these weapons and the elimination of many others.

This Government believes that the program for immediate reduction of aggressive weapons, now under discussion at Geneva, is but a first step toward our ultimate goal. We do not believe that the proposed immediate steps go far enough. Nevertheless, this Government welcomes the measures now proposed and will exert its influence toward the attainment of further successive steps of disarmament.

Stated in the clearest way, there are three steps to be agreed upon in the present discussions:

First. To take, at once, the first definite step toward this objective, as broadly outlined in the MacDonald plan.

Second. To agree upon time and procedure for taking the following steps.

Third. To agree that while the first and the following steps are being taken, no nation shall increase its existing armaments over and above the limitations of treaty obligations.

But the peace of the world must be assured during the whole period of disarmament, and I therefore propose a fourth step concurrent with and wholly dependent on the faithful fulfillment of these three proposals and subject to existing treaty rights:

That all the nations of the world should enter into a solemn and definite pact of nonaggression; that they should

solemnly reaffirm the obligations they have assumed to limit and reduce their armaments; and, provided these obligations are faithfully executed by all signatory powers, individually agree that they will send no armed force of whatsoever nature across their frontiers.

Common sense points out that if any strong nation refuses to join with genuine sincerity in these concerted efforts for political and economic peace, the one at Geneva and the other at London, progress can be obstructed and ultimately blocked. In such event the civilized world, seeking both forms of peace, will know where the responsibility for failure lies. I urge that no nation assume such a responsibility, and that all the nations joined in these great conferences translate their professed policies into action. This is the way to political and economic peace.

I trust that your Government will join in the fulfillment of these hopes.

FRANKLIN D. ROOSEVELT.

[Applause.]

MOTHER'S DAY

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend in the RECORD my own remarks at the Arlington Cemetery on the occasion of the celebration in honor of Mother's Day.

The SPEAKER. Is there objection?

There was no objection.

Mrs. NORTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by myself at Arlington National Cemetery on the occasion of the celebration in honor of Mother's Day, May 14, 1933:

If I were asked to name the most important career to which any woman might aspire I would without hesitation or qualification name that of motherhood.

A devoted mother gives to her country that which is more necessary than any other contribution—men and women to carry on our glorious traditions, without which there would not be a successful and happy Nation like ours.

Today I am thinking of two mothers of whom it can be said they have lived to see the fulfillment of the fondest wish of any mother's heart—the realization of their dreams for their children. One is the mother of our great President, the other the mother of a beloved priest in my State of New Jersey who is soon to be a bishop, consecrating his life to the service of God. Both are making a great contribution to God and country and achieving results that must have been inspired by the devotion and courage of a wonderful mother. God bless them both.

And I am thinking of another mother, though we know not whether she is here or has passed on to rejoin the son who lies before us—the Unknown Soldier, symbol of courage, sacrifice, and devotion to a great country.

Nothing is truer than that we are what we are today because of our mothers. We owe them a debt that cannot be even approximated, so far as payment in a material sense is concerned. They gave to us life. They suffered that we might enjoy the blessings of God on earth. Their unselfish devotion, their tender care, their unceasing vigilance, their spiritual influence have transported us from the cradle, over the pitfalls of impressionable youth, to whatever measure of success it has been our good fortune to achieve. And what do they ask in return for the sacrifices, the sufferings, and perhaps the tears that we have brought to them? Very little. Surely nothing that is beyond reach of even the humblest of mortals. A little love, a tender embrace, a letter if we are far away to show that we have not forgotten. How many of you good people listening in today have remembered on this day that is set aside for reverence to the mothers of the world? How many of you are so fortunate as to have your mothers with you, find time to pause occasionally, in your life's work, and renew pledges of love and filial gratitude?

Mother's Day is an occasion when the whole world is kin; when all races and all creeds kneel and worship at the common shrine of motherhood. It transcends even the great holidays; holidays set apart for glorification of heroes and heroic deeds. There never was an act of heroism; there never was a valorous deed that could match or even compare with the life's work of the humblest little mother. Mothers are the unsung heroes of the world, the valiant ones in life's battle. No man of arms, no immortal conqueror, though he subdue the entire world, can compare in the eyes of God with a mother. Mothers' battles are waged in the silences, removed from the glitter of popular acclaim. They fight not to kill, to take life, but to give and to perpetuate it.

Their life's work comes nearest to that of the Man of Galilee than any other on the face of the earth. The road they travel is not unlike the road He traveled to Calvary. They, too, have their crosses to bear; crosses that can be lightened by love and devotion from those they bring into the world. They have their Gethsemane too—when children forget; when the little ones they have nour-

ished and reared fly away from the nest like the fledglings, never more to return.

What a world of sentiment is expressed in the word "mother." What tender emotions it stirs in those whose mothers are among the living. What a flood of sweet memories it brings to those whose mothers have passed on. Memories of tender caresses that softened the pain of some childhood hurt; of reassuring embraces that dissipated clouds of disappointment and brought the sunshine again; of soft lullabies at twilight that soothed the aches in tired little bodies. It is the last word of the hardened criminal as he goes to meet his Maker; of the soldier as he breathes his last amid the shambles of the battlefield; of king, commoner, and humble peasant as they start off on the journey to eternity. It is the first word we learn to lip when we start life; the last we gasp as we depart from life.

Mother love is deathless, eternal. It knows no bounds, no limitations. It reaches all the way from earth to heaven. It is the finest and most inspiring of all emotions that influence the mind of man. It is the golden bridge that makes the passage between life and eternity the easier. A man may be an outcast in the eyes of society; the lowest, meanest criminal amid underworld scum; a lonely, harassed fugitive, pursued from pillar to post, hunted like a wild beast; a social and moral leper. He may be all of that, and even more, but not in the eyes of his mother. To her he is still the lovely babe at her breast; the happy boy whose tears she kissed away; the youth about whom she wove such glorious dreams. She is his sanctuary, his haven, when the buffetings of life are beyond human endurance; his last and final refuge in extremity.

Mother love is the greatest of all loves because it is tempered with sympathy. It forgives the error of the wayward child before it has been committed. Through the ages it has been the symbol of mercy and devotion, of self-effacement, of sacrifice, of patience, and fortitude.

God bless the mothers of the world—the builders of future generations. May the golden flame of their deathless love for mankind burn eternally. And may we on this holy day when we meet to pay them reverence and on every day every year prove to them that their devotion and their sacrifices have not been in vain. And sometime when tired and weary of a none-too-easy existence your thoughts turn to your mother for guidance and comfort, say with the poet:

"God make me the man of her vision
And purge me of selfishness.
God keep me true to her standards
And help me to live, to bless.
God hallow the holy impress of the days that used to be
And keep me a pilgrim forever,
To the shrine of my mother's knee."

LEAVE OF ABSENCE

Mr. SHOEMAKER, by unanimous consent, was given leave of absence, indefinitely, on account of illness.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J.Res. 50. Joint resolution designating May 22 as National Maritime Day; to the Committee on the Judiciary.

ADJOURNMENT

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 50 minutes p.m.) the House adjourned until tomorrow, Wednesday, May 17, 1933, at 12 o'clock noon.

COMMITTEE MEETING

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Wednesday, May 17, 10 a.m.)

Continuation of the hearings on H.R. 5500, the Emergency Transportation Act, 1933.

REPORT OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. McSWAIN: Committee on Military Affairs. H.R. 5645. A bill to amend the National Defense Act of June 3, 1916, as amended; without amendment (Rept. No. 141). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYERS of Montana: A bill (H.R. 5646) to amend the Air Mail Act of February 2, 1925, as amended by the acts of June 3, 1926, May 17, 1928, and April 29, 1930, further to encourage commercial aviation; to the Committee on the Post Office and Post Roads.

By Mr. DEAR: A bill (H.R. 5647) to provide for the commemoration of Fort Jesup, in the State of Louisiana; to the Committee on Military Affairs.

By Mr. EICHER: A bill (H.R. 5648) to provide revenue, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER: Resolution (H.Res. 145) authorizing the Judiciary Committee to inquire into and investigate the matter of appointments, conduct, proceedings, and acts of receivers, trustees, and referees in bankruptcy; to the Committee on Rules.

By Mr. GRIFFIN: Joint resolution (H.J.Res. 182) to raise additional revenue by reinstating the income-tax rates for individuals and corporations in force prior to the enactment of the Revenue Act of 1932, and in place of the increases provided by said Revenue Act of 1932, to provide a special income tax of 1 cent on each dollar of gross income for the calendar years 1933, 1934, and 1935; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLACK: A bill (H.R. 5649) for the relief of the D. F. Tyler Corporation and the Norfolk Dredging Co.; to the Committee on Claims.

By Mr. BURNHAM: A bill (H.R. 5650) for the relief of Louis Columbus De Perini; to the Committee on Naval Affairs.

By Mr. CARY: A bill (H.R. 5651) granting a pension to Llewellyn J. S. Judice; to the Committee on Pensions.

By Mr. CELLER: A bill (H.R. 5652) to reimburse William McCool amount of pension payment erroneously deducted for period of hospital treatment; to the Committee on Claims.

By Mr. COLMER: A bill (H.R. 5653) authorizing the Administrator of Veterans' Affairs to convey certain lands to Harrison County, Miss.; to the Committee on World War Veterans' Legislation.

By Mr. LUDLOW: A bill (H.R. 5654) for the relief of Louis W. Heagy, Jr.; to the Committee on Claims.

By Mr. SIMPSON: A bill (H.R. 5655) for the relief of Mayme Hughes; to the Committee on Claims.

By Mr. WALLGREN: A bill (H.R. 5656) to authorize the appointment of Master Sgt. Joseph Eugene Kramer as a warrant officer, United States Army; to the Committee on Military Affairs.

By Mr. WILCOX: A bill (H.R. 5657) granting a pension to Hattie Yarwood; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1053. By Mr. CARTER of California: Assembly Joint Resolution No. 25, State of California, petitioning the President of the United States and Congress to accept the cemetery situated at Sawtelle as a national cemetery; to the Committee on the Judiciary.

1054. Also, Senate Joint Resolution No. 9 of the Legislature of the State of California, relative to memorializing Congress to pass Senate bill 1197 known as "The Farmers' Farm Relief Act"; to the Committee on Agriculture.

1055. Also, Senate Joint Resolution No. 18 of the State of California, memorializing Congress to adopt legislation protecting and fostering the rubber industry of the United States; to the Committee on Agriculture.

1056. By Mr. FITZPATRICK: Resolution of Westchester County, New York District Council, United Brotherhood of Carpenters and Joiners of America, John Connelly, secretary, Tarrytown, N.Y., endorsing the 30-hour week bill; to the Committee on Labor.

1057. By Mr. FOSS: Petition of Gardner Chapter of Hadassah, protesting against the outrages and cruel discrimination perpetrated against the Jews in Germany; to the Committee on Foreign Affairs.

1058. By Mr. LEHR: Petition of Lenawee County Pomona Grange of Michigan, urging Congress to pass a law providing that all petroleum products that may be used as a fuel in internal-combustion engines shall be blended 10 percent by volume with ethyl alcohol made from agricultural products grown within continental United States; to the Committee on Ways and Means.

1059. By Mr. LUDLOW: Petition of the Congregation Ezras Achim, of Indianapolis, requesting the Government of the United States to make official protest against the treatment of Jewish citizens in Germany; to the Committee on Foreign Affairs.

1060. Also, petition of Indianapolis Zionist District of Indianapolis, Ind., requesting the Government of the United States to make official protest against treatment of Jewish citizens in Germany; to the Committee on Foreign Affairs.

1061. By Mr. MEAD: Petition of Erie County committee of the American Legion, regarding veterans' compensation; to the Committee on World War Veterans' Legislation.

1062. By Mr. ROGERS of New Hampshire: Concurrent resolution of the New Hampshire Legislature, protesting against lowering of standard of lighthouse station in Portsmouth Harbor, N.H., by the substitution of an unattended light and the elimination of the fog bell; to the Committee on Rivers and Harbors.

1063. By Mr. SWICK: Petition of Shenango & Beaver Valley District Council, United Brotherhood of Carpenters and Joiners of America, R. J. McKim, Ellwood City, Pa., secretary, urging the enactment of the 30-hour-week legislation, a suitable minimum wage, and a Federal building program to include rehabilitation of slums, elimination of grade crossings, and highway construction; to the Committee on Interstate and Foreign Commerce.

1064. Also, petition of Citizens Federation at Ambridge, Beaver County, Pa., Stephen M. Tkatch, president, James R. Istocin, secretary, urging the passage of the 30-hour week bill with substantial minimum wage under Government control; to the Committee on Interstate and Foreign Commerce.

1065. By Mr. WITHROW: Memorial of the Legislature of the State of Wisconsin, relating to allotment to the States of a part of the Federal excise tax on beer; to the Committee on Ways and Means.

1066. Also, memorial of the Legislature of the State of Wisconsin, relating to prompt action on the bill for refinancing home mortgages; to the Committee on Banking and Currency.

1067. By the SPEAKER: Petition of the city of Cleveland, requesting the Reconstruction Finance Corporation to use all reasonable haste in approving applications for loans made for the purpose of embarking upon projects for slum clearance and the providing of housing of the low-income group, if said projects are planned in the spirit of the State housing act and the Emergency Relief and Construction Act, that is, that all elements of speculation are eliminated and that the projects are actually planned for the low-income group; to the Committee on Banking and Currency.

SENATE

WEDNESDAY, MAY 17, 1933

(Legislative day of Monday, May 15, 1933)

The Senate sitting as a court for the trial of articles of impeachment against Harold Louderback, judge of the United States District Court for the Northern District of California, met at 10 o'clock a.m.

The managers on the part of the House of Representatives appeared in the seats provided for them.

The respondent, Harold Louderback, with his counsel, Walter H. Linforth, Esq., and James M. Hanley, Esq., appeared in the seats assigned to them.